



THE CITY OF NEW YORK
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APPLICATION GRANTED

SO ORDERED

VERNON S. BRODERICK

U.S.D.J. 09/11/2023

Extension is granted until October 23, 2023.

Plaintiff is directed to provide Defendants a working telephone number and email address by Monday, September 18, 2023. SO ORDERED.

BY E.C.F.

Hon. Vernon S. Broderick
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Denver McFadden v. City of New York, et al.,
19 Civ. 5508 (VSB)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney assigned to represent Defendants City of New York, John O'Leary, Steven Byrne, William McLaughlin, and Peter Lumina (collectively, "City Defendants") in the above-referenced matter. The City Defendants respectfully write jointly with defendants Dr. Erick Eiting and NYC Health & Hospitals (collectively, "H+H Defendants") to request a forty-five day extension of time to file the joint status letter and proposed case management plan, from September 8, 2023, to October 23, 2023 because, despite our best efforts, we have been unable to obtain a working telephone number or email address for Plaintiff.¹ The Defendants therefore further respectfully request that the Court order Plaintiff to provide a working telephone number and email address to defense counsels by a date certain.

This is the first such request for an extension of time to file the joint status letter and proposed case management plan.

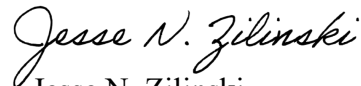
¹ Collectively, the City Defendants and H+H Defendants are referred to in this letter as "Defendants."

By way of relevant background, on August 18, 2023, the Court ordered the parties to submit a joint status letter and proposed case management plan by September 8, 2023 (See ECF No. 96).

However, an extension of time is necessary because the Defendants have thus far been unable contact Plaintiff to meet and confer regarding the joint filings. The docket lists no phone number for Plaintiff or email address, only a physical address. The Defendants attempted obtain telephone numbers and email addresses through public record searches, but none of the obtained contact information was functional. Thus, the parties have been unable to meet and confer pursuant to the Court's August 18, 2023 Order and the Defendants respectfully request an extension of time file the joint status letter and proposed case management plan, from September 8, 2023, to October 23, 2023. The Defendants further request that the Court order Plaintiff to provide them with a working telephone number and email address by a date certain to allow the parties to meet and confer regarding the joint status letter and the proposed case management plan, and throughout this litigation.

Thank you for your consideration herein.

Respectfully submitted,



Jesse N. Zilinski
Assistant Corporation Counsel
Special Federal Litigation Division

CC: **BY FIRST CLASS MAIL**
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